

REMARKS

Applicant has carefully reviewed the Office Action mailed February 26, 2009. To clarify his invention, applicant has amended claims 15, 18 and 20 and cancelled claim 19. Claims 15- 18 and 20 remain pending in this application. Applicant requests reconsideration of the pending claims in view of the amendments and foregoing remarks.

Amended claim 15 now refers to a method for controlling a display device to display input video images represented by a first number of pixels or subpixels on the display device in a display area having a second number of pixels or subpixels. The pixels or subpixels reside in lines and columns. The numbers of lines and columns in the output video images differ from the numbers of lines and columns of the input video images. The claimed method now recites the step of controlling the display device to reproduce in the display area the selected or calculated pixel or subpixel value, corresponding to the output video image.

The amendment finds ample support in the original specification, which refers to a screen for reproducing the output image (see page 5 in lines 15 – 22 and page 7 lines 12–14 of applicant's specification). A screen constitutes a display device. Therefore, applicant's amendment adds no new matter beyond the content of the original application.

Applicants have amended claims 18 and 20 to properly refer back to amended claim 15 and to use consistent wording.

Applicants acknowledge the Examiner's determination that claim 15-18 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 101 and 35 U.S.C. §112. As discussed below, applicants maintain that the amendments to claims 15, 18 and 20 render the claims in compliance with both 35 U.S.C. §101 and 35 U.S.C. 112.

35 U.S.C. § 101 and 35 U.S.C. § 112 Rejection of Claims 15-18

Claims 15-18 stand rejected under 35 U.S.C. 101 as directed to non-statutory subject matter. The claims also stand rejected under 35 U.S.C. § 112 as not supported by either a substantial asserted utility or a well established utility.

Applicant has amended claim 15 to refer to controlling a display device and the steps of the claim refer to specific operations occurring within the display device. Accordingly, applicant maintains that amended claim 15 now satisfies the “machine” prong of the machine or transformation test announced by the Court of Appeals for the Federal Circuit in the recently decided case *In Re Bilski*, 545 F. 3d 943, 953 (Fed Cir. 2008). Therefore, claim 15, and claims 16-18 and 20 that depend therefrom, fully comply with 35 U.S.C. §101.

With regard to the 35 U.S.C. 112 rejection, claim 15 now recites a method for controlling a physical object, namely a display device. Hence, the claim constitutes a well established utility 112. As amended, claim 15, and claims 16-18 and 20 that depend therefrom, fully comply with 35 U.S.C. §112.

35 U.S.C. § 102 Rejection of Claims 19 and 20

Claims 19 and 20 stand rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent Publication No. 2002/0114535 (Luo).

Applicant has cancelled claim 19. Further, applicant has amended claim 20 to recite a film scanner with a control monitor having a control circuit according to claim 18. Claim 18 recites a control circuit adapted to execute the method of claim 15. The examiner has indicated that claim 15 constitutes allowable subject matter. Therefore, Claim 20 depends from an allowable base claim.

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Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. **07-0832**.

Respectfully submitted,

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